

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3210 of 1980

with

SPECIAL CIVIL APPLICATION No 3543 of 1980

For Approval and Signature:

Hon'ble THE CHIEF JUSTICE MR. K.SREEDHARAN and
MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

RIZWAN AHMEDABAD FARUQI

Versus

RETURNING OFFICER

Appearance:

1. Special Civil Application No. 3210 of 1980
MR HAROOBHAI MEHTA for Petitioner
SERVED for Respondent No. 1
M/S PATEL ADVOCATES for Respondent No. 3
2. Special Civil ApplicationNo 3543 of 1980
MR PM RAVAL for Petitioner
M/S PATEL ADVOCATES for Respondent No. 1
NOTICE NOT RECD BACK for Respondent No. 2, 3

CORAM : THE CHIEF JUSTICE MR. K.SREEDHARAN and
MR.JUSTICE M.S.SHAH
Date of decision: 17/11/97

ORAL JUDGMENT (PER K.SREEDHARAN CJ.)

In Special Civil Application No.3210 of 1980 the prayer is to prohibit the respondents from holding election to the Udhna Nagar Panchayat and in Special Civil Application No.3543 of 1980 the prayer is to prohibit the respondents from holding elections to the Una Nagar Panchayat.

Now so far as Udhna Nagar Panchayat is concerned the election was held as back as on 15-12-1980. Further Udhna Nagar Panchayat is now included in Surat Municipal Corporation.

So far as Una Gram Panchayat is concerned, the election was held on 14-12-1980 and it is not converted into Una Municipality.

In the circumstances detailed above, no relief can be granted to the petitioners at this stage. Both these petitions have become infructuous and they are disposed of accordingly.

Both the Special Civil Applications accordingly stand dismissed. Rule is discharged with no order as to costs. in both the petitions.

Interim relief granted in SCA 3210/80 stands vacated.

(K.Sreedharan CJ.)

(M.S.Shah J.)